Meeting of the CALIFORNIA STATE PARK and RECREATION COMMISSION

Eureka Inn, Colonnade Room 518 7th Street, Eureka, California 95501 Friday, October 26, 2001

MINUTES

COMMISSIONERS PRESENT

Joseph Cotchett Caryl Hart Eugene La Pietra John Murray

Robert Shriver (Participating via teleconference as permitted by Govt. Code Section 11123)

COMMISSIONERS ABSENT

Raquelle De La Rocha Paul Junger Witt

Chairman Witt had previously designated Commissioner Joseph Cotchett as Acting Chair

STAFF PRESENT

Rusty Areias, Director

Ruth Coleman, Acting Chief Deputy Director

Dick Troy, Deputy Director, Park Operations

John McMahon, Deputy Director, Marketing

Roy Stearns, Deputy Director, Communications

John Kolb, District Superintendent, North Coast Redwoods District

Rick Sermon, Sector Superintendent, North Coast Redwoods District

Roger Goddard, Associate Landscape Architect, North Coast Redwoods District

Dave Keck, Senior Landscape Architect, Northern Service Center

Joanne Weiler, Associate Landscape Architect, Northern Service Center

Cyndy Shafer, Associate Resource Ecologist, Northern Service Center

Roy Martin, Associate Resource Ecologist, Northern Service Center

Tim La Franchi, Chief Council

Ron Brean, Chief, Northern Service Center

Rick Rayburn, Deputy Director, Natural Resources Division

Alan Wilkinson, Interpretive Specialist, North Coast Redwoods District

Louis Nastro, Assistant to the Commission

VISITORS REGISTERED/REPRESENTING

Kate Anderton/Save-the-Redwoods League

Loren Bommelyn/Smith River Rancheria

Susan Calla/Lake Earl Audubon Branch/Redwood Region Audubon Society

Cyndy Goodson/Humboldt Redwoods Interpretive Association

Sandra Jerabek/Nature Tourism Interests

Debra Lake/Avenue Fire Cooperative

Taun Moondy/Stable Slopes Forever

Hugh Scanlon/California Department of Forestry and Fire Protection Linda Sutton/Individual Donna M. Thompson/Friends of Del Norte Katherine Ziemer/Farm Bureau

CALL TO ORDER

Legal notice having been given, the California State Park and Recreation Commission meeting was called to order at 9:34 a.m. by Acting Chair Joseph Cotchett. Acting Chair Cotchett asked each of the commissioners to introduce themselves. The Acting Chair then introduced Acting Chief Deputy Director Ruth Coleman and Director Rusty Areias.

DIRECTOR'S REPORT - UPDATES ON MISCELLANEOUS ITEMS

Director Areias thanked North Coast Redwoods District Superintendent John Kolb for his work in arranging the meeting and for an outstanding tour of Humboldt Redwoods State Park. The Director then welcomed the new commissioners and provided some background information on the new commissioners who were not present.

Fee Reduction - On July 1, 2000, Governor Davis reduced fees at 109 parks within the State Park System. On January 1, 2001, the fees were reduced at the remaining 156 state park units. Director Areias estimated that there would be approximately 90 million visitors to state parks in fiscal year 2001/2002, up from just over 70 million the previous year. The increase has particularly occurred during "shoulder seasons," the periods before and after the peak season. The increased attendance creates challenges in that the additional visitors must be accommodated without an increase in staff. California State Parks currently has approximately one ranger for every 125,000 visitors. There is also anecdotal evidence that park visitors are coming from backgrounds that are more diverse than they have been in the past. Director Areias then introduced Communications Deputy Director Roy Stearns to provide some Fee Reduction statistics.

Communications Deputy Director Roy Stearns stated that prior to the fee reductions, the estimated economic impact of state parks on the California economy was \$5.2 billion. Since the fee reduction began in July 2000, the economic impact is now estimated to be approximately \$7.2 billion. This increase represents approximately \$800 million in "out-of-pocket" expenditures for park visitors. Economists estimate the actual economic impact to be approximately 2.56 times the out-of pocket figure, or about \$2,048,000,000.00. (U.C. Berkeley figures.) State Parks consultants have estimated that this \$2 billion increase has the potential to create 31,000 new jobs statewide. After September 11, 2001, park attendance has appeared to increase, though parks offering organized tours (such as Hearst Castle) experienced a decrease in attendance after September 11 due to cancellations of tours.

Acting Chair Cotchett complimented Communications Deputy Director Roy Stearns and his staff on the work they have done in promoting California State Parks.

Director Areias commented that he would like to see State Parks develop methods for attracting citizens in urban areas to our more remote parks like Humboldt Redwoods State Park.

Parks Movement - Director Areias discussed the "Parks Movement" to protect the gains State Parks has experienced in the last few years. The Director commended Governor Gray Davis for his ongoing support of State Parks, typified by the Governor's signing of bills that created the largest park bonds in any state, ever. Director Areias stated that an organization should be created to protect these gains. The Director recommended that State Parks strengthen its relationships with organizations that

advocate parks, recreation, and open space preservation. These organizations and State Parks can then work together to protect their mutual gains. The Director stated emphatically that parks are not just a luxury for good times, but a necessity for all times.

Crystal Cove State Park - Director Areias explained what are essentially two private enclaves have existed within Crystal Cove State Park for approximately the last 30 years. These are the private residents of the historic Crystal Cove cabins, and the 450 mobile homes of El Morro Trailer Park. Director Areias stated that two years ago, the residents of El Morro signed a five-year extension to their leases in exchange for waiving relocation fees. Now that we are well into that five-year extension, many residents have indicated that they will not be willing to move when the five years have passed. The El Morro residents are organizing and have hired lobbyists to assist them. There being a short of approximately 12-15 thousand campsites throughout California, Director Areias stated that the general plan for Crystal Cove State Park calls for the establishment of a RV park, the addition of campsites, and the removal of the mobile home park.

Director Areias then explained that in the residents of the historic cabins at Crystal Cove State Park had vacated the cabins on July 8, 2001, and that the second public meeting to gather input on the future of the cabins would take place on November 6, 2001. Director Areias closed by stating that he hoped that these areas of Crystal Cove State Park would soon be available to the public.

Will Rogers State Historic Park - Director Areias explained that since 1951 studies had called attention to cultural and environmental degradation that was taking place at the park. The Director had issued an order that horse boarding at the park would be suspended until a baseline could be established, and so that degradation could be repaired. Those who board horses at Will Rogers State Historic Park are unhappy with the suspension of the boarding operation. Director Areias stated that this work must be done now to ensure that there will be a Will Rogers State Historic Park in 20 or 30 years. The Director stated that an Equestrian Advisory Committee would be established to determine what the equestrian activities at the park would consist of once horses are returned. State Parks plans to return horses to the park, and in the meantime polo matches will continue on the grounds, but horses will be trailered in.

Proposition 12/2000 Bond Act update - Director Areias introduced Ruth Coleman, who was recently promoted to Acting Chief Deputy Director from her position as Chief Deputy Director of Legislation for State Parks. Acting Chief Deputy Director Coleman explained the role State Parks plays in the administration of bond acts, and provided handouts on the breakdown of allocations in Proposition 12, the 2000 bond act program status, and on proposed allocations for a new bond act that could appear on the ballot in March 2002. Acting Chief Deputy Director Coleman also explained the role of State Parks Office of Grants and Local Assistance in the implementation of the bond act.

Acting Chief Deputy Director Coleman also provided copies of State Parks' 2001 Legislative Report, which provides information on bills that State Parks tracked or took a position on in 2001.

Acting Chair Cotchett thanked Ruth Coleman for her work.

At this point Acting Chair Cotchett acknowledged that Commission Chair Paul Witt was absent because he had been selected to serve on a jury panel.

APPROVAL OF MINUTES OF MEETING OF FEBRUARY 7, 2001

Commissioner Hart moved for approval of the minutes of the February 7, 2001 meeting at San Simeon as presented. Acting Chair Cotchett seconded the motion. The motion passed unanimously by roll call vote with Commissioners Cotchett, Hart, La Pietra, Murray, and Shriver voting yes.

RETIREMENT CERTIFICATES

Acting Chair Cotchett asked North Coast Redwoods District Superintendent John Kolb to read the names of State Parks employees who had recently retired.

Superintendent Kolb welcomed the Commissioners and explained that as there were items of business to discuss in both Del Norte County and in Humboldt County, Eureka was a logical location for the Commission meeting. Superintendent Kolb acknowledged that while the Commission did not have an opportunity to visit Del Norte County, it was his wish that the commissioners would soon return to enjoy the riches that Del Norte County offers.

Superintendent Kolb read the retirement certificates for the following Department employees:

Jeffrey A. Bovee	State Park Superintendent II	25 Years, 7 months
Richard D. Carpenter	Park Maintenance Supervisor	35 Years, 9 months
William G. Carter	State Park Ranger	27 years,
Thomas G. Carver	Sr. Civil Engineer	18 Years, 5 months
Darryl L. Crawford	State Park Superintendent II	34 Years, 8 months
William F. Deeb	Parks Landscape Maintenance Tech.	20 Years, 3 months
Duane E. Fissel	Park Maintenance Worker I	23 Years
Robert Grisak	Supervising State Park Ranger	27 Years, 8 months
Sherrin N. Grout	State Park Ranger	30 Years, 3 months
John D. Hart	Associate Park & Recreation Specialist	26 Years, 6 months
Judith N. Hickman	Secretary	11 Years
John Hillerman Jr.	Associate Park & Recreation Specialist	31 Years, 4 months
Maung P. Hoe	Landscape Architect	27 Years, 6 months
Gary T. Johnson	Associate Civil Engineer	30 Years
Ron Jones	Supervising Ranger	26 years
Steven J. Kahn	Associate Park & Recreation Specialist	29 Years, 8 months
Norman Kucala	Associate Landscape Architect	31 Years, 7 months
Charlton Larca	Park Maintenance Supervisor	13 Years, 3 months
Linda M. Larson	Guide I	5 Years, 8 months
Paul G. Larson	Supervising State Park Ranger	21 Years, 7 months
Gerald K. Loomis	State Park Ranger	26 Years, 4 months
Sharon A. Mallory	Exhibit Specialist	30 Years, 3 months
David M. Martin	Staff Park & Recreation Specialist	29 Years, 5 months
Roger B. Nelson	State Park Ranger	29 Years, 8 months
Lawrence J. Perkins	State Park Ranger	27 Years, 8 months
Frank A. Ross	Staff Services Manger II	31 Years, 3 months
Mary E. Spencer	Management Services Technician	33 Years, 8 months
Keith M. Steinhart	Staff Park & Recreation Specialist	34 Years, 3 months
Pearl K. Uyeda	Staff Programmer Analyst/Specialist	31 Years, 3 months
Alfred C. Welcome	State Park Ranger	28 Years, 4 months
Deborah A. Weldon	State Park Superintendent V	24 Years, 4 months
Alan Wilkinson	Interpretive Specialist	25 years
Roger W. Williams	State Park Ranger	24 Years, 5 months
Daniel E. Winkelman	State Park Ranger	21 Years, 9 months
Robert A. Young	Senior Photographer	34 Years, 2 months
Tim Young	Supervising Ranger	27 years

Superintendent Kolb pointed out that Humboldt Redwoods State Park Supervising Ranger Tim Young was presented his 27 year certificate yesterday, during the Commissions' tour of the park.

Superintendent Kolb then announced that two other retiring North Coast Redwoods District staff members were present today - Ron Jones, Supervising Ranger, and Alan Wilkinson, Regional Interpretive Specialist. Superintendent Kolb asked these two to step forward and receive their certificates from Acting Chair Cotchett. Acting Chair Cotchett then asked Ron Jones and Alan Wilkinson to address the assembly. Both related satisfaction they had derived from their careers with State Parks.

Acting Chair Cotchett extended the Commission's thanks and gratitude to all of these retiring employees.

Urban Parks Update - Acting Chair Cotchett introduced Dick Troy, Deputy Director of Park Operations, to give an update on State Parks' urban programs. Deputy Director Troy described the Director's Urban Parks Initiative, and the Director's intent to bring the state park system to urban citizens through facilities and through programs, including PALS, recreation leadership programs, and intensive recruiting programs. He also described State Parks' role as a recreation provider in urban areas. Deputy Director Troy stated that the general plan for the Eastshore Project in Alameda County was now underway, and that the Department's greatest urban focus was on projects in underserved communities in the Los Angeles area: the Cornfields project, the Taylor Yard project, Baldwin Hills, and Lower Topanga Canyon. He also mentioned the restoration now going on at Pio Pico State Historic Park, and State Parks' desire to develop a visitor center in El Pueblo de Los Angeles in the near future. Deputy Director Troy closed by stating that State Parks intended to make the state park system relevant to all Californians.

Acting Chair Cotchett reiterated that State Parks is dedicated to making parks accessible to inner city children throughout California.

Marketing Update - Acting Chair Cotchett asked Director Areias to introduce Deputy Director of Marketing, John McMahon. Acting Chair Cotchett explained that "marketing" State Parks means getting the message out and making parks available to everyone.

Deputy Director McMahon defined marketing as getting support for parks, and developing a relevancy of parks for all Californians. He stated that the Marketing Division was now conducting critical research to discover new ways of serving those who use parks as well those who do not. The research includes surveying visitors as well as staff and other parks stakeholders. Deputy Director McMahon also stated that Marketing was exploring corporate park partnerships, and that a pilot program was now being implemented with Jeep Corporation. He concluded by stating that his duty was to using all of the means available to craft a compelling message for State Parks.

Acting Chair Cotchett asked if there were any questions from the audience or the Commissioners. An unidentified speaker stated that parks appear to be understaffed, and asked what State Parks was doing to address the expansion of parks without personnel to support the expansion. Acting Chair Cotchett asked the speaker to please discuss with him after the meeting his ideas for a volunteer program to support parks staff. Deputy Director Dick Troy also responded that recruiting efforts have been stepped-up dramatically, tripling the usual number of ranger and lifeguard cadets currently enrolled. Director Areias responded that State Parks recognized that this was a challenge; and that State Parks was working to attract a workforce that is representative of California as a whole. Director Areias also stated that he had recently received approval from the Department of Personnel Administration for increased compensation for rangers and lifeguards, which he hoped would help to attract a quality workforce.

An unidentified member of the audience asked if they could pose a question to Deputy Director of Marketing John McMahon. The speaker asked about the "park partnerships" mentioned - what does this mean? Deputy Director McMahon responded that partnership does not mean "entitlement." Act-

ing Chair Cotchett emphasized that state parks will not carry the names or "branding" of corporate sponsors. Question: The speaker then asked if there would be screening as to the types of products and companies that might become corporate partners? Deputy Director McMahon responded that a committee was now being formed to determine appropriate partnerships. He also reiterated that the Jeep partnership was a pilot program.

Commissioner Hart, referring the earlier question about staffing, suggested that citizens write to their legislators about the importance of parks in their lives, and to express their support of parks.

Director Areias stated that he would like people, when they think of California, to think of its parks. He explained that "marketing" parks is not only about creating relevancy, but it is also about creating awareness of under-utilized State Park units, to balance visitation in these parks with others that may be overcrowded. Commissioner John Murray stated that there are parks one can drive right by without even knowing the park is there. Commissioner Murray stated that it is important to create a sense of ownership for parks among citizens. Greater awareness will help State Parks to better utilize the facilities and other resources we already have.

Acting Chair Cotchett thanked John Mc Mahon for his report.

Acting Chair Cotchett recognized Save-the-Redwoods League Executive Director Kate Anderton, and asked her to briefly explain the League's role as a partner with State Parks and the significance of their contributions to Humboldt Redwoods State Park. Ms. Anderton stated that Save-the-Redwoods League was founded in the Humboldt area in 1918. The League was dedicated to providing a private means of support for preserving the magnificent redwood forests. Since then, approximately 140,000 acres have been purchased with the assistance of Save-the-Redwoods League. These lands form the core of California's redwood state parks. Approximately seven out of every ten acres of California redwood state parks have been purchased with the assistance of the League. Ms. Anderton concluded by stating that Save-the-Redwoods League was delighted to continue to be a partner to State Parks in the stewardship of these lands.

PUBLIC HEARING

Acting Chair Cotchett opened the public hearing at 10:57 a.m.

Adoption of the General Plan for Humboldt Redwoods State Park

Acting Chair Cotchett described a general plan as a document that provides broad policies for the types of uses that may be permitted in a park. He further briefly described the general plan process, public input, and the purpose of the public hearing.

North Coast Redwoods District Superintendent John Kolb introduced the preliminary Humboldt Redwoods general plan. Superintendent Kolb also provided a brief history of Humboldt Redwoods State Park. Superintendent Kolb then introduced the Project Manager for Humboldt Redwoods general plan, Joann Weiler.

Joanne Weiler gave a slide presentation that provided an orientation to the issues and overview of the proposals in the Humboldt Redwoods State Park general plan. Work on the plan began on July 14, 1999, and involved many people within and outside of State Parks.

At the conclusion of the presentation Acting Chair Cotchett introduced Cindy Shafer, and Roy Martin, State Parks Resource Ecologists who both contributed to the natural resources component and developed proposals contained in the Humboldt Redwoods general plan.

Superintendent Kolb asked North Coast Redwoods District staff in attendance to stand and be recognized:

Steven Underwood - Senior Resource Ecologist
Patrick Vaughn, Engineering Geologist
Keith Witte, Civil Engineer
Alan Wilkinson, Interpretive Specialist
Roger Goddard - District Planner, and liaison to the planning team in Sacramento

Superintendent Kolb asked that special recognition be given to Roger Goddard for his work in collecting input on the plan over a two-year period, working with local groups as well as the Sacramento team. Superintendent Kolb stated that these staff members deserved a place alongside a long line of park professionals that began with Frederick Law Olmstead.

Naming and Classification of a State Reserve within Humboldt Redwoods State Park Resolution 34-01

Superintendent Kolb offered introductory remarks to the Commission regarding the formal naming and classification of a new State Reserve within Humboldt Redwoods State Park. Superintendent Kolb provided evidence in support of the naming of classification of the new State Reserve as John B. Dewitt State Reserve, in recognition of the late Mr. Dewitt's significant contributions, as Director of Save-the-Redwoods League and throughout his life, to the preservation of north coast redwoods.

Naming and Classification of a Natural Preserve within Humboldt Redwoods State Park Resolution 33-01

Superintendent Kolb offered introductory remarks to the Commission regarding the formal naming and classification of a new Natural Preserve within Humboldt Redwoods State Park. Superintendent Kolb provided evidence in support of the naming of classification of the new Natural Preserve as Carl "A" Anderson Natural Preserve, in recognition of the late Mr. Anderson's 30-year career in which he inspired generations of park professionals. Superintendent Kolb also recognized the late Mr. Anderson's wife, Lou, and son, Supervising Ranger Bob Anderson, were present today.

Superintendent Kolb then recognized the many individuals and groups who contributed to the development of the Humboldt Redwoods general plan, including: Humboldt County, and many other public agencies, the Humboldt Redwoods Interpretive Association, and the neighborhood and community groups of Garberville, Redway, Pepperwood, Shively, Redcrest, Weott, Myers Flat, Miranda, and Phillipsville.

Superintendent Kolb stated that the general plan as presented represented State Parks' best effort to produce a plan that would provide guidance for the future of Humboldt Redwoods State Park. Superintendent Kolb asked the Commission to adopt the draft general plan as submitted.

Acting Chair Cotchett thanked Superintendent Kolb and asked if there were any registered speakers on this topic. There were seven registered speakers.

Acting Chair Cotchett announced that although Commission policy restricts speakers to three minutes (individuals) and five minutes (groups) he would not restrict speakers to any particular time limit.

Assistant Secretary Nastro called the speakers in the order they had registered.

Battalion Chief Hugh Scanlan, Humboldt/Del Norte Unit, California Department of Forestry and Fire Protection (CDF) - Chief Scanlan stated that the Humboldt/Del Norte Unit of the California Department of Forestry and Fire Protection is responsible for fire protection in Humboldt Redwoods State Park. They also provide response for medical aid and other emergencies within the park, and train local volunteer fire departments. CDF and State Parks cooperate in prescribing burning and fuel reduction programs. CDF staff also assist State Parks staff in trail maintenance and construction. CDF and Humboldt Redwoods State Park have had a long-standing relationship.

Humboldt/Del Norte CDF had earlier provided to State Parks a written response to the draft EIR portion of the proposed Humboldt Redwoods general plan. Several issues of concern were identified in this letter. Though an official response was received from State Parks in Sacramento, Humboldt/Del Norte CDF believes that this response was inadequate. The Humboldt/Del Norte Unit of CDF believes that several of these issues have still not been adequately addressed. The Humboldt/Del Norte Unit of CDF believes that State Parks did not consult effectively with CDF in developing the EIR. The Humboldt/Del Norte Unit of CDF recognizes the importance of planning and State Parks' effort in creating a plan. They further recognize that the general plan will serve as a guide for all future planning in Humboldt Redwoods State Park. The Humboldt/Del Norte Unit of CDF's concern is that once adopted, the general plan will "lock-in" future options for the park. This is why the Humboldt/Del Norte Unit of CDF is bringing its concerns to the Commission.

Humboldt Redwoods State Park is in an area that experiences periodic fires. Natural fires have been disrupted by the fire suppression policies that came into effect beginning in the 1920s. This has resulted in build-up of dead fuels, and a change in vegetation character. Wildfires are a natural component of fire ecology of this environment. Fire frequency has been studied at Humboldt Redwoods State Park, and data is available. Pre-settlement fire interval, by watershed, averaged 24.6 years, and ranged from 8 to 87 years. It has been estimated that the fire cycle range is 26.2 to 51.6 years. This means, to be liberal, that every portion of the park would burn every 26.2 years. Or, conservatively, every 51.6 years. The park has worked with CDF to re-establish a fire ecosystem through a prescribed fire program. But due to staffing constraints and burn suspensions, the park has not been able to achieve the prescribed burn objectives.

There has been a history of large fires in Humboldt Redwoods State Park and the surrounding area. A map illustrating this was provided to State Parks as part of the CDF response to the draft EIR. The maps and other information have been provided to illustrate the seriousness of the fire problem in this area.

Chief Scanlon stated that State Parks' response to these concerns downplayed the seriousness of the matter. The lack of recent fires in the proposed wilderness area is cause for concern. Designation of non-mechanized areas (i.e., wilderness) is also a concern for CDF.

Chief Scanlon continued that State Wilderness and Natural Preserve status had been proposed. Wilderness designation restricts use of aircraft in addition to restricting the use of ground equipment. The restrictions associated with both the wilderness and preserve were poorly defined in the EIR. CDF believes that the ability to fight fires safely and effectively may be hindered by the designations of State Wilderness and Natural Preserve. Greater damage may come to old-growth areas and other park resources as a result of wildfires in these designated areas. CDF is particularly concerned with the substantial increase in risk to firefighters operating in these areas. Under adverse weather conditions, the risk to firefighters is likely to be too great with poor access and without air support. The risks involved could be too great to allow firefighters into the area. The cost of fighting these larger fires is also much greater, greater than the already above-average costs of fighting fires in state parks.

CDF is concerned about the proposed wilderness designation due to the inadequate evaluation of the impact the designation will have on protecting these resources from fire.

Chief Scanlon continued by stating that the statutory authority for wilderness designations allows access for emergencies involving the health and safety of persons within the wilderness area. The statute also states that fire suppression efforts are subject to such conditions as the state agency or agencies having jurisdiction over such wilderness areas may desire. The specific conditions that would apply have not been discussed among State Parks and CDF staff. This mater should be clearly resolved before State Wilderness designation is granted.

The Humboldt/Del Norte Unit of CDF requests that the Commission find the following issues have not been adequately addressed: The Wilderness and State Preserve designations impacts to resources and to visitors from wildfires, and the roads and trails abandonment plan - such projects should be placed on hold until they can be evaluated

Chief Scanlon stated that Humboldt/Del Norte Unit of CDF recommends the EIR be returned to State Parks staff for more complete analysis. CDF is willing to assist State Parks in developing appropriate analysis. If the Commission votes to adopt the draft general plan, CDF asks that the Commission acknowledge the forewarning of the potential adverse impact on park resources that could result from adopting the plan.

Acting Chair Cotchett asked Chief Scanlon to point out where in the draft Humboldt Redwoods General Plan it restricts the use of aircraft for fighting fires. Chief Scanlon replied that within the "Exhibits" section of the plan, the potential restrictions of the wilderness area are described. Acting Chair Cotchett asked Chief Scanlon to explain this. Chief Scanlon replied that there was a general restriction for aircraft flying lower than 2,000 feet.

Acting Chair Cotchett asked if Chief Scanlon didn't believe that CDF would be exempt from such restrictions.

Chief Scanlon replied that he believed the question of exemption was open. Chief Scanlon reiterated that the law governing wilderness designations would make this issue subject to whatever the agency having jurisdiction deemed necessary.

Acting Chair Cotchett asked Chief Scanlon if he believed that State Parks would prohibit CDF from flying over a designated wilderness to fight a fire. Chief Scanlon replied that he did not believe this to be true, but that CDF was concerned because this situation had occurred in Federally-managed wilderness areas. CDF is mainly concerned that a level of restriction on firefighting similar to that imposed by the Federal government on its wilderness areas could be transferred to a state wilderness area.

Acting Chair Cotchett stated that he was in doubt that State Parks would impose any type of restrictions on CDF relating to fighting fires. Acting Chair Cotchett asked Chief Scanlon to clarify that one of CDF's primary concerns was that the removal of roads within the designated wilderness would impair CDF's ability to fight fires in these areas.

Acting Chair Cotchett asked Chief Scanlon if the adoption of the draft general plan would in any way restrict CDF from continuing to work with State Parks to develop an adequate fire suppression plan. Chief Scanlon replied that if the plan were to be adopted today it would not restrict CDF from continuing to work with State Parks to develop such a plan, and that the relationship between State Parks and CDF would continue regardless.

Commissioner Hart asked Chief Scanlon if he could provide the causes of the various wildfires identified in the last 50 years. Chief Scanlon replied that the major known causes were related to equip-

ment use, arson, campfires, and transients. He emphasized that the major fires have been associated with equipment use. He also noted that some fires start on neighboring property. Commissioner Hart asked if CDF worked with the area logging companies to discuss fire cause and prevention. Chief Scanlon replied that CDF does work with the logging companies, and that there are equipment requirements and inspections.

Commissioner Murray asked Chief Scanlon if he could characterize the amount of equipment activity that takes place in or near the park, and whether or not the decline in logging had had an impact on this. Chief Scanlon replied that a substantial amount of work was still being done on private property surrounding the park. Commissioner Murray then asked if the reduced number of roads within the wilderness would not result in a reduction in fires caused by equipment. Chief Scanlon stated that this was probably not an incorrect statement, from an equipment use standpoint. Chief Scanlon clarified that large fires tend to be caused by equipment use, but smaller fires tend to occur in the areas that are well-traveled by humans.

Commissioner Murray then asked Superintendent Kolb what State Parks' view was on suppressing fires in back country areas that start via natural causes. Superintendent Kolb replied that State Parks shares Chief Scanlon's concerns for fire-related issues. He also stated that State Parks has a great respect for CDF and wishes to cooperate with their efforts. Superintendent Kolb explained that State Parks had entered into a Wildfire Management Plan with CDF. This plan addresses issues such as whether or not fires are allowed to burn, and it describes fire management in specific areas of the park. Superintendent Kolb suggested that if the new sub-classifications of wilderness and preserve are approved the plan may need to be updated. The plan provides policies, that are currently in effect, that give CDF the primary responsibility for decisions, under the guidance of State Parks representatives, related to firefighting in the park. The area in question determines whether or not a fire is allowed to burn.

Commissioner Murray asked how fires are approached in non-mechanized areas. What determines the response? Superintendent Kolb replied that there was no provision in the Wildfire Management Plan to allow fires that start naturally to continue burning. While it is possible that CDF could determine that allowing a fire to burn would be appropriate, for the most part the Wildfire Management Plan calls for suppression of fires that occur naturally.

Chief Scanlon then introduced Operations Division Chief Jim Miranda of Humboldt/Del Norte CDF. Division Chief Jim Miranda commented on the natural fire question that had been raised by Commissioner Murray. He explained that there are no "free burn" areas, but that the Wildfire Management Plan does allow CDF the latitude to suppress such fires in the manner they believe is the safest and most economical.

Acting Chair Cotchett asked Division Chief Miranda to confirm that his staff would continue to work with State Parks on fire management issues in the park. Chief Miranda agreed that they most certainly would.

Acting Chair Cotchett thanked Division Chief Miranda. Acting Chair Cotchett then stated that the Commissioners had some time ago been shown a film of CDF firefighters at work, and that the film made it clear that the people at CDF were heroes in the truest sense of the word.

Acting Chair Cotchett thanked Chief Scanlon and Division Chief Miranda

Debra Lake of the Avenue Fire Cooperative - Ms. Lake is the public information officer for the Avenue Fire Cooperative. She explained that the Avenue Fire Cooperative was comprised of seven small volunteer fire departments. Ms. Lake also pointed out that it was Avenue Fire Cooperative vehicles that passed the Humboldt Redwoods State Park visitor center during the Commission's tour of

the center the previous day. Ms. Lake stated that Avenue Fire Cooperative units would most likely be first on the scene of emergencies in the park, often preceding California Department of Forestry fire-fighters.

Ms. Lake stated that the Avenue Fire Cooperative was concerned that only one page of the draft Humboldt Redwoods general plan was dedicated to emergency services. Ms. Lake stated that the draft general plan, in stating that CDF, county fire, and volunteer fire agencies would respond to emergencies, showed an ignorance of how fires and other emergency situations are handled within Humboldt Redwoods State Park, because there are no county fire agencies that respond to emergencies in the park. Ms. Lake stated that for four-to-five months of the year, volunteers provided the primary protection from fire in the park, as CDF is shut down in the winter time. Ms. Lake explained that the cooperative had created a grant program that allowed CDF to work through the winter, providing training to volunteer firefighters. The winter training program has been very successful. Ms. Lake added that 40% of Avenue Fire Cooperative calls originate in the park, yet the cooperative received no support from State Parks. The volunteer firefighters are an integral part of emergency services in state parks. Those who visit state parks are as much a treasure as the trees themselves. Visitors need to feel safe when they visit the park. Volunteer firefighters are on-call 24 hours a day.

Ms. Lake asked that emergency services be addressed as an integral part of the general plan for Humboldt Redwoods State Park.

Katherine Ziemer of the Farm Bureau - Ms. Ziemer stated that she represented over 1,000 members of the Farm Bureau, a non-profit organization for agricultural production and promotion. Ms. Ziemer stated that the Farm Bureau had been involved with the Humboldt Redwoods general plan since the beginning of the process. Ms. Ziemer thanked the Commission and State Parks staff for their passion for their work. She explained that the Farm Bureau has a problem with the Environmental Impact Report because it does not address the cumulative impact of what is affecting the park's local neighbors. The agricultural producers in this area are very different from what might be seen in the rest of the state. They are for the most part family farms, with small production. The Farm Bureau wants to protect these agricultural lands. Family farmers are desireable neighbors who are good stewards of the land. Ms. Ziemer asked that the Commission to address these issues and provide some help to the agricultural community, so that the park can be a good neighbor.

Commissioner Murray asked if the Farm Bureau had a particular concern as to how the park related to agriculture. Ms. Ziemer replied that the main concerns include "shading" by trees of adjacent agricultural properties, and she mentioned that some trees (in the park) that are crowding out local producers could be trimmed. Ms. Ziemer suggested that if the EIR were done properly it would better address agricultural producers as neighbors.

Acting Chair Cotchett referred to a letter from Butch Parton, President of the Farm Bureau, that the Commission received. Acting Chair Cotchett also asked if there were any specific issues related to agriculture and the park that the Farm Bureau would like to address. Acting Chair Cotchett emphasized that agriculture is a concern of State Parks. He asked Ms. Ziemer if the Farm Bureau would be willing to work together with State Parks to resolve their concerns. Ms. Ziemer stated that in the Farm Bureaus' comments on the draft plan, the Farm Bureau stated that the draft plan did not address the cumulative impact on the park's agricultural neighbors. The Farm Bureau would like to see this concern addressed in the plan.

Commissioner Hart suggested to Ms. Ziemer that the Farm Bureau supply some language - for example, a paragraph - that stated what kinds of policies the Farm Bureau would like to see - for State Parks to consider. Ms. Ziemer stated that she had five letters which she would provide to the Commission as background.

Kate Anderton, Executive Director, Save-the-Redwoods League - Ms. Anderton stated that it was fitting that this new Commission and the first general plan they would see would be rooted in Humboldt Redwoods State Park since State Parks and Save-the-Redwoods League have been so closely aligned as partners here. Ms. Anderton stated that Save-the-Redwoods League supported adoption of the draft Humboldt Redwoods State Park General Plan.

Ms. Anderton referred to the earlier statement made during the meeting that a proposal had been made to name a newly-designated wilderness area for Carl Anderson, in recognition of the generations of rangers inspired by Mr. Anderson. Ms. Anderton added that Carl Anderson had also inspired generations of visitors of all ages, and that Save-the-Redwoods League joined in the recommendation that the wilderness area be named in honor of Mr. Anderson.

Ms. Anderton continued that Save-the-Redwoods League was pleased to see that the draft Humboldt Redwoods State Park general plan is well-grounded in science. She stated that the recommendations were based on secure, sound understanding, and provided a scientific basis for the decisions that will be made as we move forward with implementing the plan. Ms. Anderton stated that the general plan was only a beginning. Ms. Anderton asked the Commission to fully support State Parks in providing the funding necessary for the scientific research to fully inform the implementation of the plan. Ms. Anderton pointed out that one area after another in the plan called for further study. For monitoring, for being aware of changes taking place, and for really understanding wildlife and the impact of human use on wildlife as well as the needs of the forest. She stated that in order to open our eyes and keep them open, we need the funding to take the time to stop, and to look, and to record, and to monitor and build future implementation of the plan on what we've learned. Ms. Anderton encouraged the Commission, as they look forward to a meaningful implementation of the plan to support fully the kinds of funding and staffing necessary to observe, and record, and make wise decisions based on what we see, in the natural processes as well as what we see as we interact with those who come to visit and enjoy the park.

Cyndy Goodson, President of the Humboldt Redwoods Interpretive Association - Ms. Goodson stated that the Humboldt Redwoods Interpretive Association had worked very closely with the planning staff on the general plan. She further stated that the Board of Directors of the Humboldt Redwoods Interpretive Association supported adoption of the draft Humboldt Redwoods State Park general plan. Ms. Goodson explained that the Interpretive Association worked with State Parks, and that Association members were really the face that most visitors see. The Association provides education and interpretation through the visitor center. Ms. Goodson stated that it was very important to get the general plan going. She referred to the statements made by Kate Anderton of Save-the-Redwoods League, emphasizing the plan's proposals for further study and a truer understanding of the park. She stated that the plan would serve as a baseline to work from with other agencies and other people who work with state parks. Ms. Goodson also stated that the Humboldt Redwoods Interpretive Association supported the designation of a Natural Preserve in honor of Carl Anderson, who served, after retiring as a ranger, as a member of the board of the Humboldt Redwoods Interpretive Association. Ms. Goodson concluded by reiterating that the Humboldt Redwoods Interpretive Association and its 60 active volunteers supported the adoption of the draft Humboldt Redwoods general plan.

Taun Moondy of Stable Slopes Forever - Ms. Moondy stated that she lived in Redway, and that she was a big fan of State Parks. Ms. Moondy stated that she wished to speak to the Commission about the Holbrook and Whittemore Groves and the south fork of the Eel River. Ms. Moondy hoped that State Parks would continue to take an interest in the community of Lower Redway. There are some very large trees in Lower Redway, directly across the river from Whittemore Grove. Ms. Moondy stated that the south fork of the Eel River is in dire straights – it is filling up from the bottom.

Ms. Moondy asked for a definition of "State Reserve." She believes it is a low impact area. She hoped that this classification would continue to lend itself to the preservation and possibly some restoration in the Whittemore and Holbrook Groves. She stated that the geology is very unstable in the Whittemore and Holbrook Grove area. Near Whittemore Grove there was a slide on property owned by Pacific Lumber Company that damaged much property and the river in 1981. The area of the landslide is still owned by Pacific Lumber. Stable Slopes Forever would like to acquire this property. Ms. Moondy stated that Pacific Lumber indicated they are not a willing seller, but their Vice President and attorney has said "show us the money." Ms. Moondy asked for the Commission's support in the acquisition of an additional 581 acres adjacent to Humboldt Redwoods State Park. She asked the Commissioners to write to the Wildlife Conservation Board to assist with this acquisition. Ms. Moondy stated that she hoped the classification of State Reserve would keep the Holbrook and Whittemore Groves as the treasured jewel that they are in southern Humboldt. She would further like to see the community bring more people in to see the groves.

Acting Chair Cotchett suggested to Ms. Moondy that she stay in touch with District Superintendent John Kolb regarding her concerns.

Linda Sutton, individual - Ms. Sutton stated that she had been a frequent visitor to the groves and the Avenue of the Giants in Humboldt Redwoods State Park. She appreciated all that State Parks has done, and that she would like to see them do more. Ms. Sutton said that she was speaking on behalf of Lower Redway a community in the old-growth forest. She stated that she was happy to see that State Parks was acquiring property in Lower Redway. Ms. Sutton encouraged State Parks to work with local residents when implementing the management plan for this area.

Nora Wynne of the Redwood Community Action Agency - Commissioner Hart addressed the issue of a letter from Nora Wynne of the Redwood Community Action Agency that was received during the meeting. The letter refers to a goal described in the draft general plan for a safe, non-motorized corridor linking the communities in Humboldt Redwoods State Park. Commissioner Hart felt very strongly that this should be a priority as State Parks moves forward with implementing the Humboldt Redwoods State Park general plan. Commissioner Hart stated that people should be able to bicycle, or walk, between the communities, or along the Avenue of the Giants, without fear of being hit by a car. It would do a lot to help the local communities. Commissioner Hart also wished to emphasize her support for obtaining further funding for monitoring the health of the forest as was stated by Kate Anderton.

There being no other registered speaker on this topic, Acting Chair Cotchett closed the public hearing on the Humboldt Redwoods State Park general plan at 12:32 p.m.

Commissioner Hart moved for approval of proposed Resolution 31-01, to adopt the draft Humboldt Redwoods State Park general plan. The motion was seconded by Commissioner Eugene La Pietra. The resolution passed unanimously by roll call vote with Commissioners Cotchett, Hart, La Pietra, Murray, and Shriver voting yes.

CHAIR'S REPORT

Acting Chair Cotchett asked for the nominating committee's nominations for Commission Chair and Vice Chair. Commissioner Hart made a motion to nominate Commissioner Cotchett as Chairman. The motion was seconded by Commissioner La Pietra. There were no other nominations. A roll call vote was taken to elect Commissioner Joseph Cotchett as Chair, with Commissioners Hart, La Pietra, Murray, and Shriver voting yes. Commissioner Cotchett abstained.

Chairman Cotchett asked for nominations for Vice Chair. There being no other nominations, Chairman Cotchett made a motion to nominate Commissioner Caryl Hart as Vice Chair. The motion was seconded by Commissioner Shriver. A roll call vote was taken to elect Commissioner Hart as Vice Chair, with Commissioners Cotchett, La Pietra, Murray, and Shriver voting yes. Commissioner Hart abstained.

Classification and Naming of approximately 10,450 acres within Humboldt Redwoods State Park as a State Wilderness

Chairman Cotchett opened the public hearing on this item at 12:36 p.m. and immediately closed the hearing as there were no registered speakers on this topic.

Chairman Cotchett made a motion that this sub-unit of Humboldt Redwoods State Park be designated as Bull Creek State Wilderness. Commissioner Eugene La Pietra seconded the motion. There being no objections to this name and classification, a roll call vote was taken with Commissioners Cotchett, Hart, La Pietra, Murray, and Shriver voting yes to approve Commission Resolution 32-01, naming and classifying approximately 10,450 acres of Humboldt Redwoods State Park as Bull Creek State Wilderness.

Classification and Naming of approximately 3,520 acres within Humboldt Redwoods State Park as a Natural Preserve

Chairman Cotchett opened the public hearing on this item at 12:39 p.m. and immediately closed the hearing as there were no registered speakers on this topic.

Chairman Cotchett made a motion that this sub-unit of Humboldt Redwoods State Park be designated as Carl "A" Anderson Redwoods Natural Preserve. Commissioner Eugene La Pietra seconded the motion. There being no objections to this name and classification, a roll call vote was taken with Commissioners Cotchett, Hart, La Pietra, Murray, and Shriver voting yes to approve Commission Resolution 33-01, naming and classifying approximately 3,520 acres of Humboldt Redwoods State Park as Carl "A" Anderson Redwoods Natural Preserve.

Chairman Cotchett recognized the presence of members of the late Carl "A" Anderson's family in the audience. Chairman Cotchett thanked Mr. Anderson's family for attending the meeting, and acknowledged that the naming of this sub-unit for Mr. Anderson was richly deserved.

Classification and Naming of the approximately 578 acres comprising the Holbrook and Whittemore Groves of Humboldt Redwoods State Park as a State Reserve

Chairman Cotchett opened the public hearing on this item at 12:41 p.m. and immediately closed the hearing as there were no registered speakers on this topic.

Chairman Cotchett made a motion that the Holbrook and Whittemore Groves of Humboldt Redwoods State Park be designated as John B. Dewitt Redwoods State Reserve. Commissioner La Pietra seconded the motion. There being no objections to this name and classification, a roll call vote was taken with Commissioners Cotchett, Hart, La Pietra, Murray, and Shriver voting yes to approve Commission Resolution 34-01, naming and classifying the approximately 578 acres of the Holbrook and Whittemore Groves of Humboldt Redwoods State Park as John B. Dewitt Redwoods State Reserve.

Classification and Naming of the Lake Earl/Lake Tolowa Project

Chairman Cotchett opened the public hearing on this item at 12:44 p.m. and immediately closed the hearing as there were no registered speakers on this topic.

Vice Chair Hart made a motion that the Lake Earl/Lake Tolowa Project be named and classified as Tolowa Dunes State Park. Commissioner La Pietra seconded the motion. There being no objections to this name and classification, a roll call vote was taken with Commissioners Cotchett, Hart, La Pietra, Murray, and Shriver voting yes to approve Commission Resolution 35-01, naming and classifying the Lake Earl/Lake Tolowa Project as Tolowa Dunes State Park.

Amendment to the contract for alcohol sales at the City Hotel in Columbia State Historic Park to allow for off-premises sales

Chairman Cotchett called on Dick Troy, Deputy Director of Park Operations, to present this agenda item. Deputy Director Troy explained that the Department of Parks and Recreation had an excellent relationship with the management of the City Hotel in Columbia State Historic Park. He explained that the City Hotel is operated through an agreement with the local community college, and that the Department had recently re-negotiated its operating agreement for a ten-year period. Deputy Director Troy explained that the City Hotel has an extensive wine collection from which they would like to be able to offer sales of bottled wine to the public.

Chairman Cotchett opened the public hearing on this item at 12:47 p.m. and immediately closed the hearing as there were no registered speakers on this topic.

Vice Chair Hart made a motion that the Commission approve Resolution 36-01, to allow off-premises sales of alcohol at the City Hotel in Columbia State Historic Park. Commissioner La Pietra seconded the motion. A roll call vote was taken with Commissioners Cotchett, Hart, La Pietra, Murray, and Shriver voting yes.

PUBLIC COMMENT

Chairman Cotchett opened the meeting to public comment at 12:50 p.m. and called on the following individuals who had registered to speak:

Loren Bommelyn, representing the Tolowa people of the Smith River Rancheria – Mr. Bommelyn explained that the Tolowa people are organized into two tribal councils: the Elk Valley Rancheria and the Smith River Rancheria. He stated that the area of the Lake Earl/Lake Tolowa Project includes five major cultural sites for the Tolowa people, and that the area played a very significant role in their theology. Mr. Bommelyn stated that he appreciated that the Tolowa name was considered and adopted for the Lake Earl/Lake Tolowa Project, as it illustrates that the Tolowa people still inhabit this region, as they have for thousands of years. He pointed out that according to the theology of the Tolowa people, they had been in this region forever. Mr. Bommelyn stated that the Tolowa people were very thankful for the naming of the area as Tolowa Dunes State Park, and that the tribal councils of both the Elk Valley Rancheria and the Smith River Rancheria were pleased with this name. Mr. Bommelyn concluded by saying that this area was very special and beautiful area, the birthplace of all people in Tolowa theology.

Chairman Cotchett stated that the Commission was honored to be able to name this area after the Tolowa People.

Sandra Jerabek, Nature Tourism Interests – Ms. Jerabek stated that she represented a group of eight people who had traveled from Del Norte County to support the naming of the Lake Earl/Lake Tolowa Project as Tolowa Dunes State Park.

Ms. Jerabek stated that this area was very special, diverse, and deserving of designation as a state park. Ms. Jerabek recognized the vision of those responsible for acquiring this land in the 1970s. She stated that those who adore this area were thrilled that the area has been recognized as a state park. She stated that the area included the largest coastal lagoon on the west coast outside of Alaska. She further stated that it was her hope that the designation of this area as Tolowa Dunes State Park would give the area a higher profile, helping make the lagoon better known and lead to its protection. Ms. Jerabek invited everyone to visit Tolowa Dunes State Park. Ms. Jerabek thanked the Commission for taking this action today.

Susan Calla of the Lake Earl Audubon Branch/Redwood Region Audubon Society - Ms. Calla stated that the Lake Earl Branch of the Redwood Region Audubon Society had been started because of an incredible need amongst visitors. She stated that the Branch's 500 members conducted bird walks, family birding trips, hikes, and kayaking. Ms. Calla stated that this area was one of the best places to watch birds, with almost 300 recorded species in the Lake Earl area. She also mentioned the area's Aleutian Canada Goose Festival, and she invited all to attend. Ms. Calla thanked the Commission for giving the people California's newest state park: Tolowa Dunes State Park.

Donna M. Thompson of Friends of Del Norte – Ms. Thompson stated that she was a resident of Crescent City and a member of Friends of Del Norte, a non-profit organization that cares about the environment. Ms. Thompson thanked the Commission, on behalf of all of the members of Friends of Del Norte, for the new state park. She also stated that she was very happy about the name Tolowa Dunes State Park, as it was so appropriate.

Rick Sermon, Sector Superintendent of the North Coast Redwoods District, extended an invitation to the Commissioners and all who were present to visit Tolowa Dunes State Park.

ESTABLISHMENT OF MEMORIAL GROVES

Vice Chair Hart made a motion that the Commission approve the following resolutions to establish memorial groves as requested by Save-the-Redwoods League and by Sempervirens Fund. Commissioner La Pietra seconded the motion. There being no objections, a roll call vote was taken with Commissioners Cotchett, Hart, La Pietra, Murray, and Shriver voting yes to approve the following resolutions.

As requested by Save-the-Redwoods League:

- 17-01 Gottfried & Anna (Husser) Lohri Memorial Grove in Montgomery Woods State Reserve
- 18-01 Bill & Shirley Leigh Family Grove in Navarro River Redwoods State Park
- 19-01 Robert L. Gibson Grove in Portola Redwoods State Park
- 20-01 Robert P. & Nancy J. King Foundation Grove in Limekiln State Park
- 21-01 Herbert J. & Katharine S. Bolton Grove in Julia Pfeiffer Burns State Park
- 22-01 Vernie & John McGowan Grove in Del Norte Coast Redwoods State Park
- 23-01 Einar Nilsson Memorial Grove in Julia Pfeiffer Burns State Park
- 24-01 Virginia Pedersen Carter Memorial Grove in Portola Redwoods State Park
- 25-01 Marie H. Peterson Memorial Grove in Portola Redwoods State Park

As requested by Sempervirens Fund.

26-01 Earl Killian & Waidy Lee Redwood Grove in Big Basin Redwoods State Park

- 27-01 Keath Armstrong Redwood Grove in Big Basin Redwoods State Park
- 28-01 Rouse Family Memorial Grove in Big Basin Redwoods State Park
- 29-01 Sierra Pacific Region 25th Anniversary Sierra Pacific Region Soroptimist Grove VIII in Big Basin Redwoods State Park
- 30-01 to establish the David and Mary Alexander Grove in Big Basin Redwoods State Park

Chairman Cotchett asked if there were any other matters to be brought before the Commission. North Coast Redwoods District Superintendent John Kolb asked if there could be one more recognition. Superintendent Kolb asked that the late Dan Scott, who had devoted his life to the Earl and Tolowa Project, and the late Dick Gauss, who had worked as a ranger for many years in the Lake Earl/Lake Tolowa area, be recognized for their dedication and contributions to the area that is now known as Tolowa Dunes State Park. Superintendent John Kolb also acknowledged that State Parks Ranger Ken Morris, who had taken over for Dick Gauss as the one and only ranger in Tolowa Dunes State Park, was present today. Chairman Cotchett asked Ranger Morris to stand and be recognized.

An unidentified member of the audience addressed the Commission, thanking the commissioners for their attention today, and particularly Commissioner John Murray for his insightful questions.

ADJOURNMENT

Chairman Cotchett thanked the Commissioners and the members of the public who invested their valuable time in attending the hearing. Chairman Cotchett asked for a motion to adjourn. A Motion was made by Commissioner Murray and seconded by Commissioner La Pietra.

Chairman Cotchett adjourned the meeting at 12:57 p.m.

Respectfully submitted,

Ruth Coleman Secretary to the Commission